



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
MARK R. DUCHOW

Serial No.: 09/682,876

Filed: October 26, 2001

For: SYSTEM AND METHOD FOR
PROVIDING ELECTRONIC VOUCHERS

Group Art Unit: 3622

Examiner: James W. Myhre

Atty. Dkt. No.: 05012.0003.CNUS01

DECLARATION OF BRUCE SARGENT

Assistant Commissioner for Patents
Washington, D.C. 20231

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MAY 29 2003
GROUP 3600

I, Bruce Sargent, hereby declare:

1. I am over the age of eighteen years, and, except for matters identified as being based on information and belief, have personal knowledge of the matters stated herein. If called upon to do so, I would testify as a witness to these matters.
2. All statements made herein on the basis of personal knowledge are true, and all statements made herein on the basis of information and belief are believed to be true.
3. I am Vice President and General Manager of Glastron, a recreational boat manufacturer headquartered in Little Falls, Minnesota. As part of my responsibilities, I interact directly and regularly with key customers and boat dealers, such as Mark Duchow, so that I can understand the promotional and marketing efforts that contribute to the success of Glastron products in the marketplace.

4. Mr. Duchow owns and operates boat dealerships that sell Glastron products in northern Illinois and southern Wisconsin. I have known Mr. Duchow for 13 years and I have maintained a continuous business relationship with him during this time.

5. Mr. Duchow and I frequently discuss new ideas for marketing and promoting recreational boats and related products.

6. Sometime in early 2000, Mr. Duchow told me about his Boatcash.com web site that offered cash discount vouchers over the Internet. The web site allowed potential buyers to view information about various boat models, select a boat, and download an electronic voucher offering a cash discount for the selected boat. The voucher could be redeemed only at Mr. Duchow's boat stores.

7. In April 2000, Mr. Duchow and I had conversations in which he proposed using his Boatcash.com web site in a nationwide Glastron Internet boat sale to provide electronic discount vouchers.

8. A problem with indiscriminately providing cash discounts to buyers over the Internet nationwide is that it would upset Glastron dealership agreements that assign specific marketing and sales territories to individual dealers.

9. To overcome this problem, Mr. Duchow told me in April 2000 that his proposed web site would include functionality that would ensure that buyers were directed to appropriate local participating Glastron dealers so as to avoid violating the terms of any dealership agreements. He stated that the web site would include pages for viewing product information, viewing various boat models, selecting a boat, and entering buyer information, such as buyer name, e-mail address, street address, phone numbers, and zip code. Mr. Duchow also stated that a dealer database would be accessed by the

web site and software executed by the web site would select the nearest dealer based on the zip code entered by the buyer. The web site software would then send an electronic voucher to the buyer indicating a cash discount for the selected model and directing the buyer to the local dealer. He also stated that an expiration date could be included in the voucher so that it could only be used during a specific sale period.

10. I own no interest in MRD Holdings LLC, the assignee of the above-identified patent application, or in Mr. Duchow's patent application.

11. I am aware that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. § 1001).

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 2nd day of May, 2003 at LITTLE FALLS, MN.



BRUCE SARGENT